

International Law Studies—Volume 17

International Law Documents

Neutrality

Breaking of Diplomatic Relations

War

With Notes

U.S. Naval War College (Editor)

The thoughts and opinions expressed are those of the authors and not necessarily of the U.S.

Government, the U.S. Department of the Navy or the Naval War College.

Dismissal of German Minister, September 13, 1917.

The Minister for Foreign Affairs of the Argentine Republic to the Argentine Minister.

ARGENTINE MINISTER: Please deliver to the German Government the following:

The Argentine Government has recognized and valued highly the exalted manner in which the Government of Germany has solved in ample terms all the Argentine claims, but must inform the German Government that, because of the texts of Minister von Luxburg's telegrams which have been published, he has ceased to be persona grata, and in consequence this Government has delivered to him his passports.

AUSTRIA-HUNGARY.

Ultimatum to Serbia, July 22, 1914.¹

[Austro-Hungarian Red Book.]

VII. Count Berchtold to Baron von Giesl, Belgrade.

VIENNA, July 22, 1914.

You are directed to hand the following note to the Royal Government, in the course of the afternoon of Thursday, July 23:

On the 31st of March, 1909, the Servian minister in Vienna, on instructions from the Servian Government, made the following declaration to the Imperial and Royal Government:

Servia recognizes that the *fait accompli* regarding Bosnia has not affected her rights, and consequently she will conform to such decisions as the powers may take with regard to Article XXV of the treaty of Berlin. In deference to the advice of the great powers, Servia undertakes to renounce henceforth the attitude of protest and opposition which she has adopted with regard to the annexation since last autumn. She undertakes, moreover, to modify the direction of her present policy toward Austria-Hungary and to live in future on good neighborly terms with the latter.

The history of recent years, and in particular the painful events of the 28th of June last, have disclosed the existence of a subversive movement with the object of detaching a part of the territories of Austria-Hungary from the Monarchy. The movement, which had its birth under the eye of the Servian Government, has gone so far as to make itself manifest beyond the Servian frontier in the shape of acts of terrorism and a series of outrages and murders.

Far from carrying out the formal undertakings contained in the declaration of the 31st of March, 1909, the Royal Servian Government has done nothing to repress this movement. It has tolerated the criminal activity of various societies and associations directed against the Monarchy, the licentious language of the press, the glorification of the authors of outrages, and the participation of

¹ Delivered personally at 6 p. m., July 23, 1914. (Serbian Blue Book, No. 32.)

officers and functionaries in subversive agitation. It has permitted an unwholesome propaganda in public instruction. In short, it has permitted all manifestations of a nature to incite the Servian population to hatred of the Monarchy and contempt for its institutions.

This culpable tolerance of the Royal Servian Government had not ceased at the moment when the events of the 28th of June last demonstrated its ominous consequences to the world.

It is evident from the depositions and confessions of the criminal perpetrators of the outrage of the 28th of June, that the Serajevo assassination had been planned in Belgrade, that the arms and explosives with which the murderers were provided, had been given to them by Servian officers and functionaries belonging to the Narodna Odbrana, and finally that the passage into Bosnia of the criminals and their arms was organized and carried out by the chiefs of the Servian frontier service.

The above-mentioned results of the preliminary investigation do not permit the Austro-Hungarian Government to pursue any longer the attitude of expectant forbearance which it has maintained for years in the face of machinations hatched in Belgrade, and thence propagated in the territories of the Monarchy. The results, on the contrary, impose upon it the duty of putting an end to the intrigues which form a perpetual menace to the tranquillity of the Monarchy.

To achieve this end, the Imperial and Royal Government finds itself compelled to demand from the Royal Servian Government a formal assurance that it condemns this dangerous propaganda against the Monarchy—in other words, the whole series of tendencies, the ultimate aim of which is to detach from the Monarchy territories belonging to it—and that it undertakes to suppress by every means at its disposal this criminal and terrorist propaganda.

In order to give a solemn character to this undertaking the Royal Servian Government shall publish on the front page of its "journal official," of the 26th of July (July 13) the following declaration:

The Royal Government of Servia condemns the propaganda directed against Austria-Hungary, of which the final aim is to detach from the Austro-Hungarian Monarchy territories belonging to it, and it sincerely deplores the fatal consequences of these criminal proceedings.

The Royal Government regrets that Servian officers and functionaries have participated in the above-mentioned propaganda and thus compromised the good neighborly relations to which the Royal Government was solemnly pledged by its declaration of the 31st of March, 1909.

The Royal Government, which disapproves and repudiates all idea of interfering or attempting to interfere with the destinies of the inhabitants of any part whatsoever of Austria-Hungary, considers it its duty formally to warn officers and functionaries, and the whole population of the Kingdom, that henceforward it will proceed with the utmost rigor against persons who may be guilty of such machinations, which it will use all its efforts to prevent and suppress.

This declaration shall simultaneously be communicated to the royal army as an order of the day by His Majesty the King, and published in the official bulletin of the army.

The Royal Servian Government further undertakes :

1. To suppress any publication which incites to hatred and contempt of the Austro-Hungarian Monarchy and the general tendency of which is directed against its territorial integrity ;

2. To dissolve immediately the society called Narodna Odbrana, to confiscate all its means of propaganda, and to proceed in the same manner against all other societies and their branches in Servia which engage in propaganda against the Austro-Hungarian Monarchy. The Royal Government shall take the necessary measures to prevent the societies dissolved from continuing their activity under another name and form ;

3. To eliminate without delay from public instruction in Servia, both as regards the teaching body and the methods of instruction, everything that serves, or might serve, to foment the propaganda against Austria-Hungary ;

4. To remove from the military service, and from the administration in general, all officers and functionaries guilty of propaganda against the Austro-Hungarian Monarchy whose names and deeds the Austro-Hungarian Government reserves the right of communicating to the Royal Government ;

5. To accept the cooperation in Servia of representatives of the Austro-Hungarian Government in the suppression of the subversive movement directed against the territorial integrity of the Monarchy ;

6. To take judicial proceedings against accomplices in the plot of the 28th of June who are on Servian territory. Delegates of the Austro-Hungarian Government will take part in the investigation relating thereto ;

7. To proceed without delay to the arrest of Maj. Voijsa Tankositch and of the individual named Milan Ciganovitch, a Servian State employee, who have been compromised by the results of the preliminary investigation at Serajevo ;

8. To prevent by effective measures the participation of the Servian authorities in the illicit traffic of arms and explosives across the frontier ; to dismiss and punish severely the officials of the frontier service at Schabatz and Loznica who have been guilty of having assisted the perpetrators of the Serajevo crime by facilitating their passage across the frontiers ;

9. To furnish the Imperial and Royal Government with explanations regarding the unjustifiable utterances of high Servian officials, both in Servia and abroad, who, notwithstanding their official positions, did not hesitate after the crime of the 28th of June to give utterance, in published interviews, to expressions of hostility to the Austro-Hungarian Government ; and finally,

10. To notify the Imperial and Royal Government without delay of the execution of the measures comprised under the preceding heads.

The Austro-Hungarian Government awaits the reply of the Royal Government at the latest by 6 o'clock on Saturday evening, the 25th of July.

A memorandum dealing with the results of the preliminary investigation at Serajevo with regard to the officials mentioned under heads 7 and 8 attached to this note.

[Inclosure.]

The investigation by the court of Serajevo against Gabrilo Princip and accomplices in the assassination committed on June 28 of this year has up to now established the following facts:

1. The plot to murder Archduke Francis Ferdinand during his stay in Serajevo was planned by Gabrilo Princip, Nedeljko Gabrinovitch, a certain Milan Ciganovitch, and Trifko Grabez, with the assistance of Maj. Voijsa Tankositch.

2. The six bombs and four Browning pistols, with their ammunition, which were used by the criminals, were obtained for them and handed to Princip, Gabrinovitch, and Grabez in Belgrade by a certain Milan Ciganovitch, and Maj. Voijsa Tankositch.

3. The bombs are hand grenades which come from the arsenal of the Servian Army at Kragujevac.

4. In order to make sure of the success of the attempt, Milan Ciganovitch instructed Princip, Gabrinovitch, and Grabez in the art of hurling bombs and taught Princip and Grabez how to shoot with Browning pistols in a forest adjoining the shooting range of Topchider, in Belgrade.

5. In order to make possible the crossing of the Bosnia-Herzegovinan frontier by the conspirators and the smuggling in of their weapons, a secret transportation system was organized by Ciganovitch. The entrance of the criminals with their weapons into Bosnia and Herzegovina was carried out with the assistance of the frontier captains at Schabatz (Rade Popovitch) and at Loznica, and the cooperation of the customs officer, Rudivoj Grbitch, of Loznica, and several other persons.

In presenting the above note you will add verbally that you are instructed to leave Belgrade with the staff of the legation at the expiration of the time limit mentioned in the note (48 hours after the hour and day of its presentation) in the event that within that period you have not received an unconditional and favorable response from the Royal Servian Government.

Comments on Serbian reply to ultimatum, July 27, 1914.

[Austro-Hungarian Red Book. See also Serbian Blue Book, No. 39.]

XXXIV. Count Berchtold to the Imperial and Royal Ambassadors in Berlin, Rome, London, Paris, and St. Petersburg.

VIENNA, July 27, 1914.

You will receive herewith the text of the note which was handed to the Imperial and Royal Minister in Servia on July the 25th by the Royal Servian Government, and our comments thereon.

[Inclosure.]

Note of the Royal Servian Government to the Imperial and Royal Austro-Hungarian Government, dated 12-25th July, 1914, and comments thereon.

[Servian Reply to Austrian Government.]

[Comments of the Austro-Hungarian Government.]

The Royal Servian Government has received the communication of the Imperial and Royal Government of the 10th instant, and is convinced that its reply will remove any misunderstanding which may threaten to impair the good neighborly relations between the Austro-Hungarian Monarchy and the Kingdom of Servia.

Conscious of the fact that the protests which were made both from the tribune of the national Skuptchina and in the declarations and actions of the responsible representatives of the State—protests which were discontinued as a result of the declarations made by the Servian Government on the 18th March, 1909—have not been renewed on any occasion as regards the great neighboring Monarchy, and that no attempt has been made since that time, either by the successive Royal Governments or by their organs, to change the political and legal status created in Bosnia and Herzegovina, the Royal Government calls attention to the fact that in this connection the Imperial and Royal Government has made no representation, except one concerning a school book, when the Imperial and Royal Government received an entirely satisfactory explanation. Servia in numerous instances has given proofs of her pacific and moderate policy during the Balkan crisis, and it is due to Servia and to the sacrifice that she has made in the exclusive

The Royal Servian Government confines itself to the statement that no endeavor has been made by either the Servian Government or its officers to modify the status of Bosnia and Herzegovina since the declaration of the 18th of March, 1909.

Thereby it deliberately evades the basic point in our representations, as we have not asserted that the Servian Government or its officers have officially undertaken anything to that end.

Our grievance, however, is that the Servian Government has omitted to suppress the agitation directed against the territorial integrity of the Dual Monarchy, notwithstanding the obligations it entered into under the terms of the above-mentioned note.

The Servian Government, therefore, was in duty bound to a radical change in the trend of its policy and to establish good neighborly relations with Austria-Hungary; and not merely to refrain from official attempts to dispute the status of Bosnia as an integral part of the Dual Monarchy.

interest of European peace that the same has been preserved.

The Royal Government cannot be held responsible for manifestations of a private character, such as articles in the press and the peaceable work of societies—manifestations which take place in nearly all countries in the ordinary course of events, and which as a general rule are beyond official control. The Royal Government is all the less responsible, in view of the fact that at the time of the solution of a series of questions which arose between Serbia and Austria-Hungary it showed much consideration and thus succeeded in settling most of these questions to the mutual advantage of the two neighboring countries.

For these reasons the Royal Government has been painfully surprised at the allegations that citizens of the Kingdom of Serbia have participated in the preparations for the crime committed at Serajevo; the Royal Government had expected to be invited to collaborate in an investigation of all that concerns this crime, and it stood ready, in order to prove the entire correctness of its attitude, to take measures against any persons concerning whom representations might be made to it.

Complying with the desire of the Imperial and Royal Government, it is prepared to commit for trial any Servian subject, regardless of his station or rank, of whose complicity in the crime of Serajevo proofs shall be produced, and more especially it undertakes to publish on the first page of the "*Journal officiel*," on the date of the 13th/26th July, the following declaration:

"The Royal Government of Serbia condemns every propaganda directed against Austria-Hungary, and in general all the tendencies which aim at the ultimate detachment from the Austro-Hungarian Monarchy of territories belonging to it, and it sincerely deplores the

The contention of the Royal Servian Government that utterances of the press and the activities of associations have a private character and are beyond the control of the State, is plainly at variance with the institutions of modern States, even of those which have the most liberal regulations in this respect; these regulations, designed to safeguard public polity and right, impose State supervision upon both press and associations. Moreover, the Servian institutions themselves provide for such supervision. The charge against the Servian Government is that it completely failed to supervise the Servian press and associations, although it well knew that both were engaged in a campaign against the Monarchy.

This assertion is incorrect. The Servian Government had been fully informed of the suspicion raised against certain designated persons, and therefore was not only in a position spontaneously to institute an investigation, but was even bound to do so by its own laws. It has done nothing at all in this respect.

Our demand read as follows:

"The Royal Government of Serbia condemns the propaganda directed against Austria-Hungary
* * *."

The alteration made by the Royal Servian Government in the decla-

fatal consequences of these criminal activities.

"The Royal Government regrets that Servian officers and functionaries have participated, according to the communication of the Imperial and Royal Government, in the above-mentioned propaganda and thus compromised the good neighborly relations to which the Royal Government was solemnly pledged by its declaration of the 31st of March, 1909.

"The Royal Government, which disapproves and repudiates all idea of interfering or attempting to interfere with the destinies of the inhabitants of any part whatsoever of Austria-Hungary, considers it its duty formally to warn officers and functionaries, and the whole population of the Kingdom, that henceforth it will proceed with the utmost vigor against persons who may be guilty of such machinations, which it will use all its efforts to prevent and suppress."

This declaration will be brought to the knowledge of the Royal Army in an order of the day, in the name of his Majesty the King, by his Royal Highness the Crown Prince Alexander, and will be published in the next official army bulletin.

The Royal Government further undertakes:

1. To insert, at the first ordinary convocation of the Skuptchina, a provision into the press law for the most severe punishment of incitement to hatred and contempt of the Austro-Hungarian Monarchy, and for taking action against any publication the general tendency of which is directed against the territorial integrity of Austria-Hungary.

The Government engages, at the impending revision of the constitution, to add to article 22 of the constitution an amendment permitting that such publications be confiscated, a proceeding at present impossible according to the clear provisions of article 22 of the constitution.

ration demanded by us implies either that such a propaganda against Austria-Hungary does not exist, or that its existence is not within the knowledge of the Royal Government. This formula is insincere and equivocal; it is intended to furnish the Servian Government with a loophole for future emergencies. The Servian Government might, in future, interpret this declaration as neither a disavowal of the existing propaganda, nor an admission of its hostility to the Monarchy; it might, furthermore, base thereon the claim that it is not bound to suppress any future propaganda similar to the present one.

The wording of our demand was: "The Royal Government regrets that Servian officers and functionaries have participated in * * *." By the additional phrase, "according to the communication from the Imperial and Royal Government," the Royal Servian Government seeks, as indicated above, to keep a free hand for the future.

We had demanded:

1. The suppression of "any publication which incites to hatred and contempt of the Austro-Hungarian Monarchy, and the general tendency of which is directed against its territorial integrity."

We thus wished to establish Serbia's obligation to provide for the prevention of such press attacks in the future; we wished, therefore, to secure definite results in the present instance.

Servia, instead, offers to decree certain laws intended to serve as means to that purpose, to wit:

(a) A law providing individual punishment of above-mentioned press utterances hostile to the Dual Monarchy. This is all the more immaterial to us, as it is a notorious fact that individual prose-

cution of press offences is very rarely possible, and as, furthermore, the lax application of such a law would leave unpunished even the few cases that might be prosecuted. This proposal, therefore, in no way meets our demand, as it gives no guarantee whatever for the results desired by us.

(b) An addition to article 22 of the constitution, permitting confiscation, as referred to in the Serbian note. This proposal likewise must fail to satisfy us. The existence of such a law in Serbia is of no avail to us, whereas only a pledge by the Government to apply it would be useful. This, however, has not been promised to us.

These proposals are, therefore, quite unsatisfactory, all the more so because they are also evasive, as they do not state the time within which these laws shall be decreed. Besides, no provision is made for the event of a rejection of the bills by the Skuptchina—not to mention a possible resignation of the cabinet—in which case matters would remain unchanged.

2. The Government possesses no proof, nor does the note of the Imperial and Royal Government furnish it with any, that the "Narodna Odbrana" and other similar societies have committed up to the present any criminal act of this nature through the proceedings of any of their members. Nevertheless, the Royal Government will accept the demands of the Imperial and Royal Government and will dissolve the "Narodna Odbrana" Society and every other association which may be directing its efforts against Austria-Hungary.

The propaganda against the Monarchy conducted by the "Narodna Odbrana" and its affiliated associations permeates the entire public life of Serbia; the Serbian Government's declaration that it knows nothing about this propaganda, is, therefore, an absolutely inadmissible act of evasion. Setting this contention aside, our demand is not wholly met, as we have also demanded:

The confiscation of the means of propaganda of these societies.

The prevention of the reorganization of the dissolved societies under other names and in other guise.

These two points the Belgrade Government ignores, thus eliminating even the guarantee which the preceding half-promise would imply that the proposed dissolution would put an end, once for all, to the activities of the socie-

3. The Royal Servian Government undertakes to remove without delay from the system of public instruction in Servia all that serves or could serve to foment propaganda against Austria - Hungary, whenever the Imperial and Royal Government shall furnish it with facts and proofs of such a propaganda.

4. The Royal Government also agrees to remove from the military and the civil service all such persons as the judicial inquiry may have proved to be guilty of acts directed against the territorial integrity of the Austro - Hungarian Monarchy, and it expects the Imperial and Royal Government to communicate to it at a later day the names and the acts of these officers and officials for the purposes of the proceedings which are to be taken against them.

5. The Royal Government must confess that it does not clearly understand the meaning or the scope of the demand made by the Imperial and Royal Government that Servia shall undertake to accept the collaboration of officials of the Imperial and Royal Government upon Servian territory, but it declares that it will admit such

ties hostile to the Dual Monarchy, and especially of the "Narodna Odbrana."

In this case, be it noted, moreover, the Servian Government first demands proofs that a propaganda against the Monarchy is being carried on in Servia's public instruction; this, too, when the Servian Government must know that the books in use in Servian schools contain much objectionable matter, and that a large number of the Servian teachers are connected with the Narodna Odbrana and its affiliated association.

The Servian Government has again in this instance failed to comply with our demand in the way indicated by us, inasmuch as the phrase, "with regard to both the teaching-staff and the means of instruction," has been omitted in the Servian note. In this eliminated phrase are clearly pointed out the mediums whereby the propaganda against the Dual Monarchy is being conducted in the Servian schools.

If the dismissal of the military officers and civil officials referred to from the Government service should be conditional upon their guilt being first confirmed by means of a trial, the Servian Government restricts its acceptance of our demand to cases where persons are charged with having committed a crime punishable under the provisions of the penal code. Since we, however, demanded the removal of officers and officials who carry on a propaganda hostile to the Monarchy, our demand is palpably not complied with in this respect, for the reason that in Servia the propaganda of which we complain does not constitute an offense punishable by law.

International law and the penal code governing criminal proceedings have nothing whatever to do with this question; this is purely a problem of national polity to be settled by a special mutual arrangement. Servia's reservation is, therefore, unintelligible and, on account of its vague and undefined form, is likely to give rise to insur-

collaboration as agrees with the principle of international law, with criminal procedure, and with good neighborly relations.

6. It goes without saying that the Royal Government considers it a duty to begin an inquiry against all such persons as are, or possibly may be, implicated in the plot of the 15/28 June, and who may happen to be within the territory of the kingdom. As regards the participation in this inquiry of Austro-Hungarian agents or authorities appointed for this purpose by the Imperial and Royal Government, the Royal Government cannot accept such an arrangement, as it would constitute a violation of the Constitution and of the law of criminal procedure; nevertheless, in concrete cases communications as to the results of the investigation in question might be given to the Austro-Hungarian agents.

7. The Royal Government proceeded on the very evening of the delivery of the note, to arrest Commandant Voija Tankositch.

As regards Milan Ciganovitch, who is a subject of the Austro-Hungarian Monarchy and who up to the 15th June was employed (on probation) by the directorate of railways, it has not yet been possible to find out his whereabouts. Notices for his apprehension have been published in the press.

mountable difficulties in the attainment of a final settlement.

Our demand was perfectly clear and could not be misunderstood. We demanded:

1. The institution of a legal investigation against those who participated in the plot.

2. The coöperation of Austro-Hungarian officials in the inquiry (*recherches*, in contradistinction to *enquête judiciaire*).

We did not contemplate the participation of Austro-Hungarian officials in the Servian legal proceedings; these officials were only to coöperate in the preliminary police investigation, which was to seek out and collect the data for the judicial inquiry.

If the Servian Government has misunderstood us, it has done so intentionally, since it must be familiar with the difference between an *enquête judiciaire* (a judicial inquiry) and simple *recherches* (a preliminary police investigation).

Since the Servian Government wishes to evade every form of control in connection with the proposed investigation which, if correctly conducted, would adduce results highly undesirable for that Government; and since it is unable to decline on plausible grounds the coöperation of our officials in the police preliminaries—a police intervention for which there are a great number of precedents—it has adopted a contention designed to furnish an apparent justification of its refusal to comply with our demand and to make our demand appear impossible of acceptance.

This reply is equivocal.

Our investigations have shown that Ciganovitch took a leave of absence three days after the assassination, when it became known that he had participated in the plot; and that under orders from the Belgrade Police Department he proceeded to Ribari. It is, therefore, untrue that Ciganovitch had retired from the Government's service as early as the 15/28th of June. In addition, it should be stated that the Chief of the Bel-

The Austro-Hungarian Government is requested to be so good as to supply as soon as possible, in the customary form, the presumptive evidence of guilt as well as the possible proofs of guilt which have been collected up to the present time, at the inquiry at Serajevo, for the purposes of the Servian inquiry.

8. The Servian Government will reinforce and extend the measures which have been taken for suppressing the illicit traffic in arms and explosives across the frontier.

It goes without saying that the Servian Government will immediately order an inquiry and will severely punish the frontier officials on the Schabatz-Loznitza line who have failed in their duty and allowed the authors of the crime of Serajevo to pass.

9. The Royal Government will gladly furnish explanations of the remarks made by its officials, whether in Serbia or abroad, in interviews after the crime, and which, according to the statement of the Imperial and Royal Government, were hostile to the Monarchy, as soon as the Imperial and Royal Government shall have communicated to it the passages in question in these remarks, and as soon as it shall have shown that the remarks were actually made by the said officials, in connection with which the Royal Government itself will take steps to collect evidence.

10. The Royal Government will inform the Imperial and Royal Government of the execution of the measures comprised under the above heads, in so far as this has not already been done by the present note, as soon as each measure shall have been ordered and carried out.

If the Imperial and Royal Government is not satisfied with this reply the Servian Government, considering that it is not to the common interest to take precipitate action in the solution of this question, is ready, as always, to accept a pacific understanding,

grade Police, who himself had caused Ciganovitch's departure and knew his whereabouts, stated in an interview that no person of the name of Milan Ciganovitch existed in Belgrade.

The interviews here referred to must be well known to the Servian Government. The request that the Austro-Hungarian Government furnish details concerning these interviews, and the fact that the Servian Government reserves the exclusive right to conduct the formal investigation in this matter, prove that on this point, as on others, Serbia has no serious intention to accede to our demands.

either by referring this question to the decision of the International Tribunal at The Hague, or to the Great Powers which took part in the drawing up of the declaration made by the Servian Government on the 18/31 March, 1909.

Belgrade, July 12/25, 1914.

Notice of breaking diplomatic relations with Serbia, July 25, 1914.

[Austro-Hungarian Red Book.]

XXIV. Baron von Giesl to Count Berchtold.

[Telegram.]

SEMLIN, *July 25, 1914.*

The reply of the Royal Serbian Government to our demands of the 23d instant being inadequate, I have broken off diplomatic relations with Serbia and have left Belgrade with the staff of the legation.

The reply was handed to me at 5.58 p. m.

*Declaration of war against Serbia, noon, July 28, 1914.*¹

[Austro-Hungarian Red Book. See also Serbian Blue Book, No. 45.]

XXXVII. Count Berchtold to the Royal Serbian Foreign Office, Belgrade.

[Telegram.]

VIENNA, *July 28, 1914.*

The Royal Serbian Government having failed to give a satisfactory reply to the note which was handed to it by the Austro-Hungarian minister in Belgrade on July 23, 1914, the Imperial and Royal Government is compelled to protect its own rights and interests by a recourse to armed force.

Austria-Hungary, therefore, considers herself from now on to be in state of war with Serbia.

*Notification of declaration of war against Serbia, July 28, 1914.*²

[British White Paper.]

No. 50. Sir M. de Bunsen to Sir Edward Grey.
(Received July 31.)

VIENNA, *July 28, 1914.*

Sir: I have the honor to transmit to you herewith the text of the Austro-Hungarian note announcing the declaration of war against Serbia.

I have, etc.,

MAURICE DE BUNSEN.

¹ "The Government of Austria-Hungary declared war to-day (July 28) at noon, in an unciphered telegram addressed to the Serbian Government." (Serbian Blue Book, No. 47.)

² See also Journal Officiel de la Republique Francaise, Aug. 3, 1914, p. 7078.

INCLOSURE IN No. 50.

COPY OF NOTE VERBALE, DATED VIENNA, JULY 28, 1914.

(Translation.)

In order to bring to an end the subversive intrigues originating from Belgrade and aimed at the territorial integrity of the Austro-Hungarian Monarchy, the Imperial and Royal Government has delivered to the Royal Serbian Government a note in which a series of demands were formulated, for the acceptance of which a delay of 48 hours has been granted to the Royal Government. The Royal Serbian Government not having answered this note in a satisfactory manner, the Imperial and Royal Government are themselves compelled to see to the safeguarding of their rights and interests, and, with this object, to have recourse to force of arms.

Austria-Hungary, who had just addressed to Serbia a formal declaration, in conformity with article 1 of the convention of the 18th October, 1907, relative to the opening of hostilities, considers herself henceforth in a state of war with Serbia.

In bringing the above notice of his Britannic Majesty's Embassy, the ministry of foreign affairs has the honor to declare that Austria-Hungary will act during the hostilities in conformity with the terms of the conventions of The Hague of the 18th October, 1907, as also with those of the declaration of London of the 28th February, 1909, provided an analogous procedure is adopted by Serbia.

The embassy is requested to be so good as to communicate the present notification as soon as possible to the British Government.

Declaration of war against Russia, 6 p. m., August 6, 1914.¹

[Austro-Hungarian Red Book. See also Russian Orange Book, No. 79.]

LIX. Count Berchtold to Count Szápáry, St. Petersburg.

[Telegram.]

VIENNA, August 5, 1914.

You are instructed to hand the following note to the Russian minister of foreign affairs:

By order of his Government, the undersigned ambassador of Austria-Hungary has the honor to notify his excellency, the Russian minister of foreign affairs, as follows:

"In view of the threatening attitude assumed by Russia in the conflict between the Austro-Hungarian monarchy and Servia, and in view of the fact that, in consequence of this conflict, and according to a communication of the Berlin cabinet, Russia has considered it necessary to open hostilities

¹ Presented to the Russian Minister of Foreign Affairs on Aug. 6, 1914, at 6 p. m. (Russian Orange Book, No. 79.)

against Germany; furthermore, in view of the fact that the latter consequently has entered into a state of war with the former power, Austria-Hungary considers herself equally in a state of war with Russia."

After having presented this note, you will ask for the return of your passports and take your departure without delay accompanied by the entire staff of the embassy, with the sole exception of those officials who may have to remain.

Simultaneously passports are being handed to M. Schebeko.

Declaration of war against Belgium, August 22, 1914.

[Austro-Hungarian Red Book, see also Belgian Gray Book, No. 77, under date of reception August 28, 1914.]

LXVII. Count Berchtold to Count Clary, Brussels.

[Telegram.]

VIENNA, August 22, 1914.

I request you to inform the royal Belgian minister of foreign affairs without delay, as follows:

By order of my Government I have the honor to notify you, as follows:

In view of the fact that Belgium, having refused to accept the propositions addressed to her on several occasions by Germany, is now in military cooperation with France and Great Britain, both of which have declared war on Austria-Hungary; and in view of the recently established fact that Austrian and Hungarian subjects resident in Belgium have, under the eyes of the royal authorities, been treated in a manner contrary to the most primitive laws of humanity, and inadmissible even toward subjects of a hostile State, Austria-Hungary is necessarily compelled to break off diplomatic relations and considers herself from now on in a state of war with Belgium.

I leave the country with the staff of the legation and place the subjects of my country under the protection of the minister of the United States of America in Belgium.

The Imperial and Royal Government has handed his passports to Count Errebault de Dudzeele.

Instructions in regard to Japan, August 24, 1914.¹

[Austro-Hungarian Red Book.]

LXIX. Count Berchtold to Baron Müller, Tokio.

[Telegram.]

VIENNA, August 24, 1914.

The commander of H. M. S. *Elisabeth* has been instructed to participate in the action at Tsingtau.

¹ This information was communicated to the United States Department of State on Aug. 27, 1914, by the Austro-Hungarian ambassador. Asserting that "a state of war unhappily exists between Japan and Austria-

52 *Breaking Diplomatic Relations, Austria-United States.*

In view of Japan's action against our ally, the German Empire. I request you to ask for your passports, notify consulates, and leave Japan for America together with our colony and the staffs of embassy and consulates. You will place our subjects and interests under the protection of the American ambassador. Passports will be handed to Japanese ambassador here.

Note breaking diplomatic relations with United States April 8, 1917.

Chargé Grew to the Secretary of State.

[Telegram.]

AMERICAN EMBASSY,

Vienna, April 8, 1917.

Minister for foreign affairs has just informed me that the diplomatic relations between the United States and Austria-Hungary are broken and has handed me passports for myself and the members of the embassy. He states that we may leave the Monarchy at your convenience and that every possible courtesy will be extended. Am telegraphing consuls to arrange their affairs and proceed to Vienna with a view to leaving for Switzerland if possible at end of week.

Following is translation of text of note handed me by minister :

IMPERIAL AND ROYAL MINISTRY OF THE IMPERIAL AND
ROYAL HOUSE AND OF FOREIGN AFFAIRS,

Vienna, April 8, 1917.

Since the United States of America has declared that a state of war exists between it and the Imperial German Government, Austria-Hungary, as ally of the German Empire, has decided to break off the diplomatic relations with the United States, and the Imperial and Royal Embassy in Washington has been instructed to inform the Department of State to that effect.

While regretting under these circumstances to see a termination of the personal relations which he has had the honor to hold with chargé d'affaires of the United States of America, the undersigned does not fail to place at the former's disposal herewith the passport for the departure from Austria-Hungary of himself and the other members of the embassy.

At the same time the undersigned avails himself of the opportunity to renew to the chargé d'affaires the expression of his most perfect consideration.

CZERNIN.

To Mr. JOSEPH CLARK GREW,

Chargé d'Affaires of the United States of America.

GREW.

Hungary," the United States issued a neutrality proclamation upon that date. The London Times of Aug. 27, 1914 (p. 5, b), after printing a Reuter dispatch of Aug. 26, 1914, stating that the *Petit Journal* had printed a telegram from Rome announcing that Austria had declared war on Japan, says: "Reuter's Agency was informed last night at the Japanese embassy * * * that the embassy had no news of the declaration of war between Austria and Japan, but had heard through an indirect source that the Japanese ambassador at Vienna had received his passports."

Notification of blockade of Montenegro, August 10, 1914.

[Journal Officiel de la Republique Francaise, Aug. 12, 1914, p. 7337.]

The Government of the (French) Republic was informed on August 10, 1914, by the Imperial and Royal Government of Austria-Hungary "that from August 10, at noon, the coast of Montenegro will be held in a state of effective blockade by the Austro-Hungarian naval forces."

The present notification is brought to the knowledge of those interested under all reservation of rights.

BELGIUM.

Protest against proposed German violation of neutrality August 3, 1914.

[Belgian gray book.]

No. 22.—Note communicated by Monsieur Davignon, Belgian Minister for Foreign Affairs, to Herr von Below Saleske, German Minister.

BRUSSELS, August 3, 1914.—(7 a. m.)

The German Government stated in their note of August 2, 1914, that according to reliable information French forces intended to march on the Meuse via Givet and Namur, and that Belgium, in spite of the best intentions, would not be in a position to repulse, without assistance, an advance of French troops.

The German Government, therefore, considered themselves compelled to anticipate this attack and to violate Belgian territory. In these circumstances, Germany proposed to the Belgian Government to adopt a friendly attitude toward her, and undertook, on the conclusion of peace, to guarantee the integrity of the Kingdom and its possessions to their full extent. The note added that if Belgium put difficulties in the way of the advance of German troops, Germany would be compelled to consider her as an enemy, and to leave the ultimate adjustment of the relations between the two States to the decision of arms.

This note has made a deep and painful impression upon the Belgian Government.

The intentions attributed to France by Germany are in contradiction to the formal declarations made to us on August 1, in the name of the French Government.

Moreover, if, contrary to our expectation, Belgian neutrality should be violated by France, Belgium intends to fulfil her international obligations and the Belgian army would offer the most vigorous resistance to the invader.

The treaties of 1839,¹ confirmed by the treaties of 1870,² vouch for the independence and neutrality of Belgium under the guaran-

¹ British and Foreign State Papers, 27 : 990 et seq.

² Ibid., 60 : 13.